

## **EXHIBIT D**



**U.S. Citizenship  
and Immigration  
Services**

January 24, 2019

**COW2019000083**

Leslie K. Dallon  
American Immigration Council  
1331 G Street NW, Suite 200  
Washington, DC 20005

Sent via Email: [ldallon@immcouncil.org](mailto:ldallon@immcouncil.org)

Dear Leslie K. Dallon:

**Don't waste time waiting for the US Postal Service to deliver the information you requested. Go online, create an account, and receive the information electronically! Read the attached yellow flyer for more details.**

We received your request for information on January 23, 2019 relating to Forms I-140 filed from October 01, 2008 to January 04, 2019.

Your request is being handled under the provisions of the Freedom of Information Act (5 U.S.C. § 552). It has been assigned the following control number: COW2019000083. Please cite this number in all future correspondence about your request.

We respond to requests on a first-in, first-out basis and on a multi-track system. Your request has been placed in the simple track (Track 1). You specifically requested:

A complete dataset containing information about all Forms I-140, "Immigrant Petition for Alien Workers" filed during the time period from October 1, 2008 to present.

Specifically, Requester seeks a full dataset (or spreadsheet) containing the following information for each I-140 Petition filed with USCIS during the period identified above:

- (1) Date of receipt
- (2) Unique identifier (a numeric or alphanumeric code that is associated with a single I-140 Petition filed with USCIS. The identifier could be a random number and would not need to contain any of the beneficiary's identifying information).
- (3) Was the Petition approved?
  - a. If yes, date of Petition approval
- (4) Was the Petition denied?
  - a. Date of denial
  - b. Reason(s) for denial
- (5) Is the Petition still pending?
- (6) Is the Petition in any other status?
  - a. If yes, identify status.

**Part 1: Petitioner information**

- (1) Specify whether petitioner is an individual or a company or organization:
  - a. Individual

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- b. Company or organization
- (2) If petitioner is a company or organization, name of company or organization
- (3) Mailing address of petitioner:
  - a. City or town
  - b. State or province
  - c. Postal code or ZIP code
  - d. Country
- (4) IRS Employer Identification Number (FEIN) of petitioner

Part 2: Petition type

- (1) This Petition is being filed for:
  - a. An alien of extraordinary ability
  - b. An outstanding professor or researcher
  - c. A multinational executive or manager
  - d. A member of the professions holding an advanced degree or an "alien of exceptional ability" (who is not seeking a national interest waiver)
  - e. A professional (at a minimum possessing a bachelor's degree or a foreign degree equivalent to a U.S. bachelor's degree)
  - f. A skilled worker (requiring at least two years of specialized training or experience)
  - g. Any other worker (requiring less than two years of training or experience)
  - h. An "alien" applying for a national interest waiver (who is a member of the professions holding an advanced degree or a foreign national of exceptional ability).

Part 3: Beneficiary information (Information about the person for whom petitioner is filing)

- (1) Mailing address:
  - a. City or town
  - b. State or province
  - c. Postal code or ZIP code
  - d. Country
- (2) Date of birth (or age at the time of filing, or year of birth)
- (3) Gender
- (4) Country of citizenship or nationality
- (5) Place of birth
  - a. City or town or village
  - b. State or province
  - c. Postal code or ZIP code
  - d. Country
- (6) If the beneficiary was in the United States when the Petition was filed, provide the following:
  - a. Date of last arrival (mm/dd/yyyy)
  - b. Expiration date of authorized stay shown on Form I-94
  - c. Status/class of admission shown on Form I-94 (for example, class of admission or paroled if paroled)

Part 4: Processing information

- (1) Will beneficiary apply for a visa abroad at a U.S. embassy or consulate?
- (2) If yes, what is the location of the embassy or consulate?

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- a. City or town
- b. Country

(3) Is the beneficiary in the United States and will the beneficiary apply for adjustment of status to lawful permanent resident?

(4) "Alien's" residence at the time the Petition was filed or, if in the United States, last country of permanent residence abroad

(5) Is the petitioner filing any other petitions or applications with this Form I-140?

- a. If yes, which ones?
  - i. Form I-485
  - ii. Form I-131
  - iii. Form I-765
  - iv. Other- Provide an explanation

(6) Is the person for whom you are filing this Petition in removal proceedings?

(7) Has any immigrant visa Petition ever been filed by or on behalf of this person?

(8) Is petitioner filing this Petition without an original labor certification because the original labor certification was previously submitted in support of another Form I-140?

Part 5: Additional information about petitioner

(1) Type of petitioner

- a. Employer
- b. Self
- c. Other. Specify the type.

(2) If company or organization is filing Petition, provide the following information:

- a. Type of business
- b. Date established
- c. Number of U.S. employees (at time Petition was filed)
- d. Gross annual income
- e. Net annual income
- f. NAICS code
- g. Labor certification DOL case number
- h. Labor certification DOL filing date

(3) If individual is filing Petition, provide:

- a. Occupation
- b. Annual income

Part 6: Basic Information About the Proposed Employment

(1) Job title

(2) SOC code

(3) Nontechnical job description

(4) Is this a full-time position?

(5) If not full-time, how many hours per week for the position?

(6) Is this a permanent position?

(7) Is this a new position?

(8) Wages (specify hour, week month, or year)

(9) Worksite location

- a. City or town
- b. State
- c. Zip code

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Part 7: Information About Spouses and Children of Person for Whom Petition is Being Filed

(1) For each person, provide:

- a. Date of birth
- b. Country of birth
- c. Relationship
- d. Is he or she applying for adjustment of status?
- e. Is he or she applying for a visa abroad?

In accordance with Department of Homeland Security Regulations (6 C.F.R. § 5.4(a)), USCIS uses a "cut-off" date to delineate the scope of a FOIA request by treating records created after that date as not responsive to that request. Therefore, in determining which records are responsive to your request, we will only include records in the possession of this agency as of January 24, 2019, the date we began the search for records.

Consistent with 6 C.F.R. § 5.5(a) of the Department of Homeland Security (DHS) FOIA regulations, USCIS processes FOIA requests according to their order of receipt. Although USCIS' goal is to respond within 20 business days of receipt of your request, FOIA does permit a 10-day extension of this time period in certain circumstances. Due to the increasing number of FOIA requests received by this office, we may encounter some delay in processing your request. Additionally, due to the scope and nature of your request, USCIS will need to locate, compile, and review responsive records from multiple offices, both at headquarters and in the field. USCIS may also need to consult with another agency or other component of the Department of Homeland Security that have a substantial interest in the responsive information. Due to these unusual circumstances, USCIS will invoke a 10-day extension for your request pursuant to 5 U.S.C. § 552(a)(6)(B). Please contact our office if you would like to limit the scope of your request or to agree on a different timetable for the processing of your request. We will make every effort to comply with your request in a timely manner.

Because of the subject matter and because of your demonstrated ability to disseminate information to the public, USCIS will grant this request for fee waiver.

This office now offers an online delivery option. If you would like to receive the requested records online, you will need to register this request at <https://first.uscis.gov>. If you do not already have a MyUSCIS account you will be prompted to create one. Once logged on, click the "Register Request" link where you will be asked to enter your control number COW2019000083 and the following six digit PIN: 325599. If you do not wish to take advantage of this option, we will be providing your records on a Compact Disc (CD) for use on your personal computer. To request your responsive records on paper, please include your control number and write to the above address Attention: FOIA/PA Officer, or fax them to (816) 350-5785.

The National Records Center (NRC) has the responsibility to ensure that personally identifiable information (PII) pertaining to U.S. Citizenship and Immigration Services (USCIS) clients is protected. In our efforts to safeguard this information, we may request that additional information be provided to facilitate and correctly identify records responsive to your request. Though submission of this information is voluntary, without this information, your request may be delayed while additional steps are taken to ensure the correct responsive records are located and processed. Further, if we are unable to positively identify the subject of the record we may be unable to provide records responsive to your FOIA request.

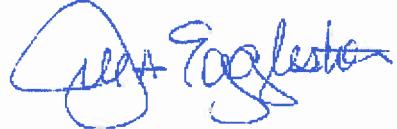
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You may check the status of your FOIA request online, at [www.uscis.gov/FOIA](http://www.uscis.gov/FOIA). Click the “Check Status of Request” button in the middle of the web page or “FOIA Request Status Check & Average Processing Times” on the left side under “Freedom of Information and Privacy Act (FOIA).” Then click “FOIA Check Status of Request” at the bottom of the page and follow the instructions given. If you have any questions concerning your pending FOIA/PA request, or to check the status of a pending application or petition, please call The National Customer Service Center at 1-800-375-5283. Please be aware that the National Records Center no longer accepts FOIA/PA related questions directly by phone.

All FOIA/PA related requests, including address changes, must be submitted in writing and be signed by the requester. Please include the Control Number listed above on all correspondence with this office. Requests may be mailed to the FOIA/PA Officer at the PO Box listed at the top of the letterhead, emailed to [USCIS.FOIA@uscis.dhs.gov](mailto:USCIS.FOIA@uscis.dhs.gov), or sent by fax to (816) 350-5785. You may also submit FOIA/PA related questions to our email address at [FOIAPAQuestions@uscis.dhs.gov](mailto:FOIAPAQuestions@uscis.dhs.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Jill A. Eggleston".

Jill A. Eggleston  
Director, FOIA Operations